

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 23-38 are now pending in this application, with Claims 23 and 33 being independent. Claims 1, 2, 4-10, 12-16, and 18-22 have been cancelled without prejudice or disclaimer and Claims 23-38 are newly-presented herein.

Support for the feature of transmitting information based on the kind of device to the information processing apparatus is supported by step S307 in Figure 3. Support for the feature of the information indicating the kind of ink to be ejected from the mounted recording head is supported in the specification at page 18, lines 17-24 and page 45, line 27 to page 46, line 11. Of course, the claims are not intended to be limited in scope to these preferred embodiments.

Claims 1, 2, 4, 5, 15, 16, 21, and 22 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,151,041 (Bolash et al.) in view of U.S. Patent No. 6,155,664 (Cook). Claims 6-14 and 18-20 were rejected under 35 U.S.C. § 103 over Bolash et al. and Cook and in further view of U.S. Patent Application Publication No. 2003/0174180 (Nunokawa). These rejections are respectfully traversed.

With the present invention, information indicative of the kind of device can be sent to a printer and the proper driver can be set in the printing apparatus. Erroneous setting of the printer driver can be prevented when the kind of device is not determined. In particular, information indicating the kind of ink can be stored in a storing portion. When mounting of the recording head is detected, discrimination is made as to whether the kind information is stored in

the storing portion. If the result of a discrimination is negative, communication with the information processing apparatus can be prevented, whereas if the result is affirmative, communication can be permitted.

The inkjet printer of Bolash et al. can install head cartridges of different types. When image data is received, the processor of the printer can determine an appropriate type of ink head cartridge that should be used. The processor examines information electronically stored on the mounted printhead cartridges to determine if one of the desired cartridges is mounted. If the desired cartridge is mounted, the processor configures the printer to print with the desired cartridge, whereas an error message is displayed if the printer cannot locate the desired type of printhead cartridge. Bolash et al., however, does not utilize the kind of ink in the determination.

Therefore, Bolash et al. fails to disclose or suggest at least in response to detection of mounting of the recording head, causing a storing portion to store information indicating the kind of ink to be ejected from the mounted recording head stored in the mounted recording head, and discriminating that the kind of device is determined when the storing portion stores the information indicating the kind of ink and discriminating that the kind of device is not determined when the storing portion does not store the information indicating the kind of ink, as is recited in the independent Claims 23 and 33. Nor does Bolash et al. disclose or suggest that when discriminated that the kind of device is not determined, controlling to prohibit communicating means from communicating with the information processing apparatus, and when discriminated that the kind of device is determined, permitting the communicating means to communicate with the information processing apparatus, as is further recited in the independent Claims 23 and 33.

Thus, Bolash et al. fails to disclose or suggest important features of the present invention recited in the independent claims.

As described previously, Cook can determine whether ink within a remote ink cartridge is compatible with ink within a print head cartridge and can control the printer accordingly. When improper installation of the print head cartridge and the remote ink cartridge is determined, a message is generated in order to notify the user of the problem. However, determination on the basis of the kind of ink is not disclosed. Nor does Cook discriminate whether information indicating the kind of ink is stored in a storing portion. Further, in erroneous mounting, the apparatus of Cook communicates with the user, whereas in the present invention communication with the apparatus is prevented. Cook, therefore, fails to remedy the deficiencies of Bolash et al. noted above with respect to the independent claims.

Nunokawa has also been reviewed but is not believed to remedy the deficiencies of the citations noted above with respect to the independent claims.

Thus, Claims 23 and 33 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 23 and 33. Dependent Claims 24-32 and 34-38 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for

allowance. This Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 CFR 1.116 is respectfully requested.

Applicant respectfully submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW:ytr

FCHS_WS 3569350v1